

1964

CONGRESSIONAL RECORD — SENATE

9321

social democracy, within freedom, is postulating before the world and before America the urgent need of listening to the calls which are the fruits of misery, hunger, and the despair of so many men and women of our continent. This is the task which we must reduce to the simplest form, because it is demanded by this new petition that humanity live.

We will only consolidate the Government of the people through more just plans which serve democracy. And I am sure that our Parliaments will know how to carry out, with wisdom, the mission that our Constitutions, juridical instruments of progress and freedom, have entrusted them with.

I sincerely hope that the presence of the Legislators of my country, in that Republic, will contribute to the strengthening of the indestructible ties which unite our peoples, on the immovable base of common ideals of progress. And I am formally inviting that Honorable Senate to send a delegation of its members to visit Buenos Aires next June.

They will honor, with their presence, our Parliament [which is] beginning an intense task whose object is the structuring of juridical plans which will serve the country and defend democracy as an irrenunciable system of living together for the Americas, based on the dignity of men and peoples who want to live in the atmosphere of civilization, justice, and law.

With brotherly expressions of democratic solidarity and faith in the empire of liberty I am greeting the worthy President and the honorable integrants of the Federal Senate of that principal Nation of America.

CARLOS PERETTE

PRO CIVIL RIGHTS MAIL HITS NEW HIGH

Mr. JAVITS. Mr. President, this being the end of April and the 44th day of debate on the civil rights bill, I would like to report to the Senate on the mail I have received on this issue from New York State. We are not "mail comptometers" here, and our job is to serve the national interest on this bill as we see it, but the mail question has been invoked to allege a "white backlash" to the bill in the North, and when the facts refute this, they must be brought out.

The mail coming into my office has never been heavier than it was during the past month. Much has been made recently of the fact that many people in the North have been writing in opposition to the civil rights bill. I am glad to report that that trend appears to have shifted dramatically. The count of New York State mail during the month of April—as of this morning—was 8,250 letters for the bill and 2,527 letters opposed. That indicates overwhelmingly 3½-to-1 support from my State for the enactment of the pending civil rights bill.

I believe this is new evidence against the so-called white backlash in the North which is said to be having an adverse effect on support for the pending civil rights bill.

It is interesting to me to note that many of those writing in support of the bill say that they did not write to me previously because they were aware of my commitment to the passage of this legislation. But they have decided to write now to give me assurance of their support, and because they had read

about letterwriting campaigns inspired by segregationists and other elements.

It is most noteworthy that most of the letterwriting in opposition to the legislation continue to contain incredible misinformation. In the hope that some of these letterwriters will take the time to learn the facts about this legislation, I am sending every one of them a copy of a booklet, "Some Questions and Answers on the Civil Rights Bill," produced by the Leadership Conference on Civil Rights. This excellent 24-page booklet explains the key provisions of the bill, answers the main questions that have arisen in regard to it, and sets forth the reasons this legislation should be enacted. I believe it will be helpful in bringing some enlightenment to many who have been misled by false fears and inaccurate information.

Mr. President, in order to show the drastic change in the mail since last February, when the mail from those against civil rights was for the first time running slightly in excess of those for it, to the present time when it is 3½ to 1 in support of the bill, I ask unanimous consent to have printed at this point in the RECORD a chart showing the ratio of pro and con civil rights mail from September 1963, to April 1964, from New York State.

There being no objection, the chart was ordered to be printed in the RECORD, as follows:

	Pro	Con
September 1963-----	2,189	197
October 1963-----	1,644	179
November 1963-----	1,478	209
December 1963-----	803	50
January 1964-----	1,635	368
February 1964-----	2,594	2,712
March 1964-----	4,802	3,290
April 1964-----	8,250	2,527

CIVIL RIGHTS BILL—ANSWER TO AN UNJUSTIFIED ATTACK ON SECTION 302

Mr. JAVITS. Mr. President, one of the unjustified attacks on the pending civil rights bill which has recently been circulated, is directed against section 302 of the bill. On behalf of the Senator from Oregon [Mr. MORSE] and myself, as the designated bipartisan "floor captain" of title III, I would like to point out the invalidity of that argument.

Section 302 authorizes the Attorney General to intervene in actions instituted in the Federal courts seeking relief from the denial of equal protection of the laws on account of race, color, religion, or national origin. This would permit the Federal Government to become a party to privately brought suits to enforce the equal protection clause of the 14th amendment. It is considerably narrower than the traditional part III proposal, which would have authorized the filing of such suits by the Attorney General, not only intervention, and would have authorized redress of all rights, privileges, and immunities guaranteed by the 14th amendment, not only equal protection of the laws.

The 14th amendment extends only to State action, so that governmental officials of the States and their subdivisions would be the defendants in suits in which

the Attorney General would be authorized to intervene, not private individuals. Thus the spectre of the "financial and governmental might of the United States" pitted against an individual is in no way raised by section 302. At present the financial and governmental might of various States is often pitted against individuals, claiming deprivations of constitutional rights on account of race, who are least able to maintain expensive litigation themselves. This is the major reason for section 302, which is a narrowly limited attempt to even up the balance by permitting the Federal Government to appear before the courts on the side of the individual claiming a constitutional right, against State officials and State governments which seek to deny him that right.

Nor is there anything in section 302 which conceivably justifies the statement that it would give the Attorney General power to intervene in suits against public officials "for the purpose of making them conform to his desires." Section 302 does not in any way enlarge the relief obtainable now by an individual capable of litigating by himself for redress of a breach of equal protection; it adds not a single substantive right or cause of action to what the courts have repeatedly said constitutes such a deprivation on account of race, color, religion, or national origin. It simply permits the Attorney General to become a party to such a suit so that he can represent the national interest in protecting that existing constitutional right. It seems to us the only objection anyone can really mount against this is that they do not wish to see the equal protection clause enforced.

AMERICA'S INTERNAL THREAT

Mr. WALTERS. Mr. President, I ask unanimous consent to have printed at this point in the RECORD an editorial entitled "America's Internal Threat," from the Nashville Banner of April 28, 1964.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE CRISIS IS HERE: AMERICA'S INTERNAL THREAT

Those abetting America's hour of crisis, with statements of open threat and appeals to conflict—with or without pious protestations of nonviolent intent—are tugging at pillars whose collapse would demolish the house. Ignorance of that fact, or willful indifference to it in pursuit of personal, partisan, or ethnic aims, does not excuse the offense, nor abate the catastrophe they are inviting.

That is the danger within, exploited by demagogues playing on racial emotions, and preaching lawlessness to achieve their own ends. Intolerant of reason, their ultimatum is cracked like a whip—not for concessions within the scope of uniform justice, but for unconditional surrender.

The crisis is here; not an ocean's breadth away. The exercise of responsibility by men of good will, irrespective of race, and answerable both to conscience and the authority of law, can resolve it.

America certainly does not oppose equality of justice under a government of law. That is its structure, its format, its intent.

The so-called civil rights bill, now at issue before Congress, does not enhance these.

It would emasculate them where the majority is concerned.

When the unconstitutionality, other illegalities and proposed injustices to businesses and individuals are removed, Congress should provide all the just protection of the rights of Negroes, as well as those of every other citizen of the United States, regardless of race, religion, color or country of origin.

This is what the Negroes are entitled to; no more, no less.

Anything else will continue the divisive struggle which is destroying reason, understanding, good will, and mutual respect among Americans who must live in amity and concord, if this Republic is to endure.

This is the time for politicians to stop their despicable exploitation of the Negro for his vote. It is the time for the white citizens to recognize the legitimate rights of the Negro under the law and provide them within established constitutional boundaries.

It is also time for the Negro to rid himself of hysterical, fanatical leadership defiant of law and order, provoking civil disobedience to the point of anarchy seriously damaging, if not permanently destroying the interest, the sincere sympathy and the support of millions of Americans of good will, now being alienated by the extreme folly of the ADAM CLAYTON POWELLs, the Black Muslims and their fellow travelers preaching anarchy, sedition and open revolution.

It's time to get back to sanity, respect for law, respect for the flag and the country for which it stands, and, above all, respect for one another as human beings and as American citizens with equal responsibilities imposed by equal rights under the law. Anything else is the sheerest folly which, if not soon checked, is certain to lead to the destruction of all law, all rights, even this Government of freedom which is the last best hope of earth.

CONDITIONS IN LAOS DESCRIBED IN LETTER FROM FATHER MENDER

Mr. DODD. Mr. President, when I was in Laos in May of 1962, I met an American Oblate missionary by the name of Father Matt J. Menger, who told me some things about the situation in the country that I did not get from my Embassy briefing.

In his several years in Laos, Father Menger had learned to speak the language fluently and had traveled thousands of miles on foot in the country, even in territory that was supposed to be under firm Communist control.

Recently I received a letter from Father Menger which I consider significant because it answers a question that I have heard asked with increased infrequency, especially during the past several months.

On a trip from Saigon to Vientiane by plane, Father Menger sat down beside an American businessman. The American businessman said to him, "Father, I know you are a priest and your job is to save souls. But frankly, why in the hell are you missionaries staying in Laos? Your churches and schools have been sacked and burned by the Reds, your priests have been killed; why don't you get smart and go where you will have a chance to build and grow? Laos is gone, so is Vietnam; why don't you get out while you still have the chance?"

Father Menger in his letter tells the story of Agnes, a member of the Meo tribe of northern Laos, by way of replying to the businessman, yes, and to

all those who have asked similar questions.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD, the answer from Father Menger.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

INDOCHINA MISSION CRUSADE, March 5, 1964.

DEAR CRUSADE: I visited Saigon a few weeks ago which, at the time, was "between coup d'etats." The flight from Vientiane to Saigon is a beautiful one with the plane following the muddy Mekong and crossing over the checkerboard rice paddies of the lush Vietnamese delta.

Saigon, the "Paris of the Orient," was as beautiful as ever. My Vietnamese friends cordial and friendly as always, outwardly happy, living their normal everyday lives, but something had changed. Walking the streets of Saigon, seeing the tanks, heavy artillery, the soldiers patrolling with their rifles and submachine guns, one realizes that this is more than just the civil war of a tiny Asian country. In my friends I could see an anxiety that had never existed before, an inner tension resulting from the nightly bombings and the terror of not knowing who the enemy was.

During the 6-hour C-47 flight home to Vientiane, I became involved in a conversation with the man sitting next to me, an American businessman who had spent many years traveling and working in Asia. I had the feeling there was something he wanted to ask me. Finally he found the courage, for he suddenly blurted out, "Father, I know you're a priest and your job is to save souls. But frankly, why in the hell are you missionaries staying in Laos? Your churches and schools have been sacked and burned by the Reds, your priests have been killed . . . why don't you get smart and go where you'll have a chance to build and grow? Laos is gone, so is Vietnam. Why don't you get out while you still have the chance?" For a moment, I was taken aback, as much by his frankness as by the challenging question. And then I thought of Agnes.

It was late one afternoon, just a few days before Christmas. I was sitting in my office in the rectory when I saw, walking past the window, a ragged, tired, hollow-eyed woman. A baby was strapped to her back. Stumbling along beside her were three exhausted little children, the eldest not more than 5 years old.

We took Agnes, her husband, and the children into the rectory, gave them something to eat and a chance to rest. That night I heard one of the most incredible stories of courage and determination in all of my career as a missionary.

Agnes is a Meo, a member of that hardy tribe which emigrated from Mongolia through southern China into Laos a hundred years ago. She was born and raised in the village of Sam Neua, 115 miles north of Vientiane. When she was 18, she married one of the boys from her village. For their honeymoon, they set out on a walking trip to Paksane in southern Laos. During the trip, they were accosted by robbers. The young bridegroom, in trying to defend his wife and their meager possessions, was slashed with machetes and seriously wounded. A few days later he died. Agnes was alone in a strange village with no money, no home, nothing but a still shining wedding ring. Agnes came to the seminary, appealed to the fathers for help, and was given a job as a cook. For 10 years she worked at the seminary in Paksane until she married again. She and her new husband decided to return to the mountainous villages the Meos love, and so they moved back to Sam Neua. During the next 5 years, four children were born

and Agnes and her family lived the normal life of our Catholic Meo families, attending mass and regularly receiving the sacraments in the village church, until the Communists came, bringing with them their experts in fear, torture, and persecution.

Twice her husband was arrested. Twice he escaped, the last time fleeing 40 miles to an anti-Communist guerrilla outpost. Agnes and the children waited for word from him, nightly attending the mandatory indoctrination lectures of the Reds. One day, while shopping in the marketplace, a woman came to Agnes and whispered, "your husband is safe. If you are to escape, it must be tonight."

The family's bamboo hut was on the main path of the village. Communist sentinels regularly patrolled the street. At dusk, Agnes put the children to bed, then proceeded to bore two tiny peepholes knee-high through the wall of her hut. Clutching her rosary, she knelt down, put her eyes to the peepholes, and began her long vigil of waiting and praying.

The beads slipped through her fingers, decade after decade the heavy boots paced up and down in front of the hut. "Hail Mary, pray for us sinners, now and at the hour of our." Back and forth—back and forth. At midnight, the footsteps stopped; 12:30, still no sentinel; 1 o'clock, Agnes decided this was the time to go. She wakened the three older children and whispered to them, "If you make a sound, your father will have no wife, and no children."

Strapping the still sleeping baby to her back, she breathed a silent prayer and crept out into the night. It was a moonless night, a pitch-black night. Agnes and the children got down on their hands and knees feeling their way along the narrow path. On and on they crawled, perhaps several hundred yards. Suddenly Agnes and the children stopped abruptly. They heard a sound. Was it a patrol of sentinels coming toward them? Agnes listened. It was quiet, deathly quiet. Then she began crawling again, quietly, the slightest sound meant capture and death. One false move and they would tumble to their death down the steep cliff of the jagged mountain. Finally they were out of the village. Agnes recalled, "I don't know how long we crawled, it seemed forever. Suddenly two men jumped out of the thick brush and grabbed my babies. Frightened, I looked up and recognized the two faces in the dim light of their torch. We all started to run."

Down the narrow, rocky path they ran, through a small jungle-covered valley, then up a steep, craggy path. Soon the first red rays of the sunrise began to steal over the tall mountains. A quick breakfast of rice and water in a village, then off again. They walked all that day, well into the following night before they reached the village of an anti-Communist guerrilla post where Agnes' husband was waiting. Once again the family was united. The following morning, a small single-engined plane set down on the dirt runway of the village and, minutes later, Agnes, her husband, and four children were on their way to Vientiane, to freedom and safety.

Why does a missionary stay in Laos to fight what so many consider a losing battle? Why does a missionary stay when the odds are stacked against him? It is a life of hardship, privation, danger, death. Recently we were reminded of this.

Communist guerrillas in the Congo raided the oblate mission stations. They captured three priests, tortured them, and hacked their bodies with machetes, leaving the pieces to be buried by the nuns. Last Sunday night, and again on Thursday, our priests at Tha Ngon, which is only 15 miles north of Vientiane, were visited by Communist guerrillas.

1964

CONGRESSIONAL RECORD — SENATE

9323

Today even though we are a hundred missionaries in Laos, at least 75 percent of the natives have never even seen a missionary, or heard of Jesus Christ. These people are primitive and illiterate, but they are children of God. They have a right to know their Creator and their Redeemer. They have a right to Heaven. It is for them that we missionaries have left our homes and our families. It is for them that we stay on to fight against tremendous odds, constant danger, and even possible martyrdom. Perhaps our accomplishments in the book of time will seem few and, to some, our attempts, ridiculous. Who but Almighty God would dare to put into the battlefield a tiny army of men against the maniacal savagery of communism?

Yes, we've lost some of our churches, our schools, our rectories; 10 percent of all of our priests have been murdered, but souls are never lost. And if our accomplishments are minute in this world of magnificent victories, perhaps martyrdom at the final moment of our lives, will be the display of faith and courage needed to convert one more soul. For the sake of that one soul, if for no other reason, we have our justification for being here, and for staying.

As you kneel in the comfortable, magnificent churches of America, please pray for us. Whisper a prayer for the missionaries and the Agnoses of Laos. Rest assured that I, and all of the other oblate missionaries scattered throughout the mountains and jungles of this tiny Communist-infested kingdom, will be offering our Easter masses in a special manner for you and your loved ones.

With my blessing,

FR. MATT J. MENCER,
San Francisco, Calif.

FEES PAYABLE TO COMMISSIONER OF PATENTS

Mr. DODD. Mr. President, on February 25, I introduced S. 2547, as an alternative to H.R. 8190, which was approved by the House earlier this year, to fix certain fees payable to the Commissioner of Patents.

The bills will produce slightly over \$22 million a year in revenue, making the Patent Office more nearly self-sustaining than it is at present.

At the time I introduced it, I stated that my bill had been endorsed by the Connecticut Bar Association, as well as by individual patent attorneys and businessmen.

I learned a few days ago that the Manufacturing Chemists' Association, Inc., which represents 186 member companies with 90 percent of the productive capacity of the U.S. chemical industry, has also endorsed my bill.

The association did this in a letter which it filed with the Senate Judiciary Subcommittee on Patents, Trademarks, and Copyrights commenting on both S. 2547 and H.R. 8190.

This endorsement is of particular interest, I think, since the chemical industry spends more of its own money on research than any other single industry in the United States. These research efforts are reflected in the patent activity of the industry. For example, in 1960 approximately 20 percent of all the patents issued were chemical patents.

I ask unanimous consent to have this letter, which is an expert and able argument in support of my bill in preference

to the House proposal, printed at this point in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

MANUFACTURING CHEMISTS' ASSOCIATION, INC.,
Washington, D.C., March 20, 1964.

Hon. JOHN L. MCCLELLAN,
Chairman, Subcommittee on Patents, Trademarks and Copyrights, Committee on the Judiciary, U.S. Senate,
Washington, D.C.

DEAR MR. CHAIRMAN: The Manufacturing Chemists' Association, Inc., would like to take this means of submitting its views on H.R. 8190 and S. 2547 for consideration by your subcommittee and inclusion in the record of the hearings held on these bills on February 27 and 28, 1964. With certain differences, both bills have for their purpose the increase of fees payable to the Patent Office.

In this connection, it may be of interest that the Manufacturing Chemists' Association, Inc., founded in 1872, is the country's oldest national chemical trade association, with 186 U.S. members, and represents more than 90 percent of the productive capacity of the U.S. chemical industry. The chemical industry spends more of its own money on research than any other single industry in the Nation. In 1960 some 10,200 chemical patents were issued, representing about 20 percent of all patents issued during the year. Thus, the chemical industry has a vital concern in any legislation affecting patents.

Our association realizes that over 30 years have passed since the fees for filing applications and issuing patents were last revised. Since that time, salaries and other costs have increased substantially. Inventors and their assignees should pay a fair share of the Patent Office costs and it is for this reason that our association in the past has supported a reasonable increase in Patent Office fees. In our letter of September 4, 1963 to the House Judiciary Committee we so stated our position. We were, therefore, quite pleased to see the introduction of S. 2547 by Senator Dodd, the provisions of which would increase Patent Office fees, making it more nearly self-sustaining. According to Senator Dodd, when he introduced his bill S. 2547 the proposed schedule of fees would produce slightly over \$22 million in revenue each year. This is about the same amount which would be produced by H.R. 8190 after scheduled maintenance fees become fully effective.

By far the most objectionable feature of H.R. 8190, and the one to which we most strongly object, is the provision authorizing the imposition of maintenance fees for patents. The imposition of maintenance fees would, in our opinion, also have the undesirable effect of lessening the protection and encouragement now given to inventive efforts by our patent system. The Acting Commissioner of Patents, in his testimony, indicated that the Patent Office expected that at the end of the 5th, 9th, and 13th year a large number of patents would become invalid for failure to pay the maintenance fees. It was estimated that on the 13th anniversary date of the issuance of the patent only 15 percent of the patents would be continued in force. Thus, it appears to us that maintenance fees will have the effect of reducing the life of patents, thereby seriously weakening our patent system.

The philosophy behind the attempts to reduce the life of the patent seems to be that the patents then will go into the public domain and will be utilized fully by a large number of manufacturers. We do not believe this would be the case. Let us consider a situation where a patent is allowed to lapse by failure to pay maintenance fees and

later it is discovered that the item covered could be utilized. There are very few manufacturers who would expend the considerable amount usually involved in the commercial development and marketing of a new product without patent protection. The public, thus, would be deprived of the benefits of many new developments.

In the House floor discussion on H.R. 8190, the assertion was frequently made that maintenance fees would save the Patent Office money by cutting out so-called deadwood, a term apparently used to indicate patents not being utilized commercially. The lapsing of a patent does not eliminate it as a reference by the Patent Office. In its consideration of new patent applications, such a lapsed patent is treated by the Patent Office in the same manner as is an article in a journal, or as is a foreign patent. Being a disclosure, it forms part of the art which has to be searched to determine if a later applicant has a "new" invention. The issued patent has to be searched, whether it is used or unused, valid or invalid, still alive or expired.

Another reason why we strongly object to the imposition of maintenance fees is because of the administrative burdens which will be placed on both industry and the Patent Office. To impose the maintenance fees provided by H.R. 8190, it will be necessary for the Patent Office to keep accurate records of the status of many thousands of issued patents, to send out many thousands of notices of maintenance fees due (sec. 6e), process requests for deferment (sec. 6f), and publish lists of patents expired for nonpayment of maintenance fees.

The imposition of maintenance fees also seems to be an effort to eliminate so-called defensive patents. There are very few actually defensive patent applications filed. To call a large number of patent applications "defensive" indicates a lack of understanding of the way research is conducted and products often developed, especially in the chemical industry. Many times new chemical compounds are discovered for which no immediate use is apparent. With additional experiments, sometimes taking many years, a use for the compound is discovered. Thus, if the attempt is being made by the use of maintenance fees to eliminate the filing of patent applications of this type, the result will only be greater secrecy.

There are several other provisions in H.R. 8190 which we view with concern and strongly oppose. Sections 1, 2, 3, and 4 of H.R. 8190 provide for increased fees for filing, prosecuting, issuing, and reissuing patents, and for recording assignments. We are somewhat apprehensive that the extra filing fee in H.R. 8190 for each independent claim beyond one may deter inventors from adequately claiming their inventions, and that the fees for printing the patents and drawings may deter inventors from fully disclosing their inventions.

As a matter of fact, Assistant Secretary of Commerce Hollomon and Acting Commissioner of Patents Reynolds emphasized in their testimony before your subcommittee on H.R. 8190 that the bill was drafted with provision for only one claim for the filing fee of \$50 to encourage the submission of "dependent" claims, rather than a large number of independent claims. Patent attorneys today, in general, believe that for most inventions a series of independent claims are necessary to adequately spell out the area of discovery. The reason for this is that in case one claim in a patent is declared invalid by the courts, other claims will still be valid, protecting the invention.

The fee schedule of H.R. 8190 would be especially heavy on independent inventors. The independent inventor makes very important contributions to our society. The

impact of this bill on the independent inventor would be considerably softened if he could present several independent claims for his filing fee instead of just one, and if for his issue fee he could have several pages printed without additional printing fees.

Today an inventor may file 20 or less independent claims for a filing fee of \$30. H.R. 8190 would provide for a filing fee of \$50 and \$10 for each independent claim in excess of one and \$2 for each claim (independent or dependent) in excess of 10. It has been estimated that the average patent application today contains about 15 or 16 independent claims. Thus, the filing fee, rather than being increased from \$30 to \$50, would be increased from \$30 to about \$200. It would appear to us to be better to provide, as Senator Dodd has in S. 2547, a filing fee of \$70 and \$5 for each claim in excess of 10.

The Manufacturing Chemists' Association, Inc., appreciates this opportunity of presenting our views on S. 2547 and H.R. 8190. In summary, it is apparent that S. 2547 does not contain the objectionable features which are found in H.R. 8190. Also, S. 2547 would produce some \$22 million in annual revenue making the Patent Office more nearly self-sustaining. We would, therefore, like to go on record formally as endorsing S. 2547 and we respectfully urge that this bill be reported favorably and that H.R. 8190 be rejected.

Sincerely,

G. H. DECKER.

FATHER HOA, THE FIGHTING PRIEST OF SOUTH VIETNAM

Mr. DODD. Mr. President, I am deeply distressed by the report in Tuesday's press that Father Hoa, the "fighting priest of South Vietnam" who has made this region in the Camau Peninsula a bastion of popular resistance to communism, may be relieved of his command and perhaps obliged to leave the country.

The report in the New York Times implied that there was some reason for doubting that the initiative for this action had come from General Khanh himself, and, some reason for believing that it originated at a lower level in the Vietnamese Government. The report further stated that American military sources fear that the area will fall to the Vietcong in 6 months if Father Hoa is obliged to leave. It said that the embassy was prepared to intercede at the highest level if it turns out that the new military commander appointed to the area attempts to dispel the influence of Father Hoa.

I earnestly hope that General Khanh and the other Vietnamese leaders will give this matter the closest attention.

The destruction of Father Hoa's influence must inevitably undermine the effectiveness of the peasant resistance movement that he has built up around him. This would be a tragedy for the people of the area. But much more than this, it would have a disastrous influence on Vietnamese-American relations and would play into the hands of those who have been urging American withdrawal from Vietnam.

Father Hoa, who came to South Vietnam in 1959 with a group of Chinese refugees, has succeeded in setting up what is generally considered to be the most effectively organized regional popular defense against communism to be found anywhere in Vietnam. With a

force of 1,200 men, he is defending a population of some 18,000 villagers, and his influence has extended far beyond the region he himself commands. His achievement is all the more remarkable because the Camau Peninsula is perhaps the most heavily Communist-infested area in South Vietnam, and the territory he now holds had to be freed from Communist control by hard fighting.

Every American military man and every correspondent who has seen the operation has been tremendously impressed by it. President Kennedy himself, when he read his first report on Father Hoa, wrote a memorandum to the Saturday Evening Post urging that they print the story. The story was, in fact, printed in the May 20, 1961, issue of the Post under the caption "The Report the President Wanted Published." Subsequently, there were many more articles about Father Hoa, including another article in the Saturday Evening Post and an article in Reader's Digest.

I was one of the first to urge that we give unconditional support to General Khanh. But General Khanh inherited an exceedingly difficult situation. The war is still not going well for our side in South Vietnam; and each fresh report of Communist victories or of disorganization on the Government side is made the excuse for renewed demands that we get out of Vietnam.

Against this background, I do not think the Vietnamese Government can afford the luxury of removing Father Hoa and risking the loss of the Hai Yen area. Their enemies, I am sure, will welcome this move. Their friends will all be dismayed by it.

I hope that the Vietnamese Government will not delay too long before confirming to the public that the appointment of a military commander for the Hai Yen sector does not mean that Father Hoa is being removed or that he is being deprived of his authority.

Mr. President, I ask unanimous consent to have printed at this point in the Record, the New York Times article of April 28, 1964, entitled "Saigon Replaces 'Fighting Priest'"; the Saturday Evening Post article of May 20, 1961, entitled "The Report the President Wanted Published"; and the Reader's Digest article of July 1963, entitled "The Fighting Priest of South Vietnam."

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From the New York Times, Apr. 28, 1964]
SAIGON REPLACES FIGHTING PRIEST—FATHER HOA'S PRIVATE ARMY PUT UNDER NEW COMMAND

(By Peter Grose)

SAIGON, South Vietnam, April 27.—A Roman Catholic priest whose irregular military methods have carved out a safe haven for his followers in the Communist-dominated Camau Peninsula, has been deprived of the command of his private army.

A major of the South Vietnamese Army has been named commander of Father Hoa's area, called the Hai Yen or Sea Swallows sector.

The sector, near the Gulf of Siam, has long been a showplace, an example of what highly motivated counterinsurgent operations

could accomplish against the Communist guerrillas.

The appointment of the commander, Maj. Chuong Chinh Quay, came quietly about 10 days ago. Father Hoa confirmed today that he had in effect been supplanted and might have to leave Vietnam.

American officials who have strongly supported the priest's antiguerrilla activities expressed deep concern at what might happen if his army was broken up.

Father Hoa has made two trips to Saigon to try to clarify the Government's intentions. He said in an interview that he planned to return to Hai Yen this week in hope of reaching a working agreement with the new commander.

Father Augustin Nguyen lac-Hoa holds no formal military title or position at Hai Yen. But in the absence of a regular army commander, he has been military leader as well as parish priest. His hope now is that, even though an official commander is to be on the spot, his unusual counter guerrilla tactics and the strong loyalties he has established will not be lost.

The influence of Father Hoa extends beyond his small sector. Hai Yen, 15 miles square, has 1,200 men under arms to defend a population of 18,000. Most of the troops are Chinese of the Nung tribe of North Vietnam, but two companies are completely Vietnamese.

American military sources fear Hai Yen would fall to the Vietcong in 6 months if Father Hoa left.

FLIED CHINA IN 1951

The husky 56-year-old priest has become a symbol to Roman Catholics in Vietnam and abroad. He fled Communist China with several hundred followers in 1951, establishing a home first in North Vietnam, then in Cambodia and finally in 1959 in South Vietnam.

Poorly armed and led only by the priest, who had commanded a battalion in the Chinese Army, the immigrants cleared the Vietcong from the sector and gradually won the support of Vietnamese villagers.

With increasing publicity, the priest became a controversial figure. There were many who questioned his military skill—he follows few traditional practices in fighting the guerrillas. He also was supported and admired by Ngo Dinh Diem when he was President, which made him suspect by the forces that opposed the Diem regime.

With the downfall and death of President Diem last November, the priest's position became shaky outside Hai Yen although the people of the sector remained almost fanatically loyal. In November, one of his fighting companies was taken from his control and in February, a second. Father Hoa retained command of five companies.

UNCLEAR ON MOTIVES

Father Hoa is unclear about the reason for and the intent of the new government directive. It conflicts with all organized groups across the country.

Father Hoa saw Premier Khanh 2 weeks ago and was reported to have received full assurance of support. Then came the appointment of an army major as battalion commander, which Father Hoa had favored, but with it a second appointment—the naming of another major as sector commander, the post the priest had held in practice.

Some Americans believe the order originated well below Premier Khanh, perhaps with army commanders who have been hostile.

American diplomats have been following the situation closely and are said to be ready to intercede at the highest level with the Vietnamese Government if the new commander attempts to dispel the influence Father Hoa wields in Hai Yen.

1964

CONGRESSIONAL RECORD — SENATE

[From the Saturday Evening Post, May 20, 1961]

THE REPORT THE PRESIDENT WANTED PUBLISHED

(By an American officer)

(A few weeks after President Kennedy took office, a report from an American Air Force officer in Vietnam crossed his White House desk. It was one of the dozens of official documents the President reads every day. The President picked it up, intending to glance through it hurriedly—and found himself reading with absorbed attention.)

(The officer—whose name, for professional reasons, cannot be used—had visited a little village in South Vietnam. The region he visited has for years been controlled by Communist guerrillas. Yet the people of the village, determined to live their own lives in their own way, had held out against the Communists despite heavy and continual casualties.)

(When it came to the President's desk, the report was classified. But behind the official language of the report, the President saw a story of human valor and dedication to freedom, a reminder that communism is not the wave of the future. It was a story, he felt, that many people ought to read, and he wrote a memorandum suggesting that the report would make "an excellent article for a magazine like the Saturday Evening Post. I would like to see this type of material have good distribution, as it shows what can be done." The substance of the report is published herewith.—THE EDITORS.)

The adage, "Eternal vigilance is the price of liberty," is just practical realism to the free people of Binh Hung village. These 1,200 settlers, most of them expatriates from Communist China who have wandered for years through southeast Asia in search of a haven, are in daily combat with Communist Vietcong guerrillas. It is a deadly little war.

Last January, President Ngo Dinh Diem of South Vietnam arranged for me to visit the village. When I arrived, members of the small self-defense corps, which protects Binh Hung from the guerrilla raiders, were drawn up smartly in military formation. I was startled and deeply touched. Many of them raised their hands in a familiar three-fingered salute. They were former Boy Scouts, and it was the only military gesture they knew. Something else about them was far more impressive. These volunteer soldiers were cheerful, despite the certain knowledge that before another year is out two-thirds of them probably will be killed in action.

The leader of Binh Hung village is the Rev. Nguyen Loc Hoa, a stocky, bespectacled Catholic priest who was once a lieutenant colonel in the Chinese Nationalist Army. He led the group—originally 375 settlers—out of South China, into Cambodia and finally to the mud flats and mangrove swamps of South Vietnam, where their settlement has more than tripled in size. When I asked Father Hoa why his self-defense soldiers volunteered for so bleak a life and almost certain death, he smiled warmly and replied, "Man was born to do something."

While this is only a tiny facet of the fight of free men against communism, perhaps some of the things I heard and saw at Binh Hung will interest other men who may someday face Communist guerrillas in combat.

The village is located near the southern tip of Vietnam on the Camau Peninsula. This area, nominally governed by the pro-Western, democratic government of South Vietnam, has been dominated by Communist guerrillas for more than 15 years. When Vietnam was divided under the Geneva Agreement of 1954, the Communist Viet Minh forces in the south chose the Camau region as their regroupment and departure area. Reportedly they left behind large arms

caches and a forceful guerrilla organization. Vietnamese authorities recently estimated that 500 loyal villagers are killed every month in the fight against these guerrillas. But they say guerrilla casualties are even higher. If other villages are as resourceful as Binh Hung, this is probably true.

Binh Hung is not an old village. After leading his flock of Christian refugees out of China and spending 7 difficult years fighting off jungle pirates and Communist guerrillas in Cambodia, Father Hoa got permission from the Vietnamese Government to settle on the Camau Peninsula in 1959. When the refugees arrived with their household goods, pigs, ducks, and seedlings, they wept at what they saw. "It is like a visit to the moon," one of them said. In a rainy season the Camau area is a vast mud swamp tangled with mangrove and laced by a complex of rivers, streams, and canals. In the dry season the swamp becomes parched, and cracked clay makes the whole area look like a dried-up mud puddle. But the waterways teem with fish, and rice grows profusely. So the refugees erected Binh Hung village.

They wanted to build their houses in a long, thin line strung out along a canal. But the battle-wise Father Hoa, with an eye on the threat of guerrilla attack from strongholds in the surrounding mangrove forests, planned the settlement in a compact, defensible square, bisected by the canal. Around it he put a low mud wall dotted with lookout points which are manned night and day. Beside each lookout post hangs a deactivated artillery shell to be hammered as an alarm signal when the Vietcong attack.

For 3 months in 1959 Binh Hung was peaceful. Then the Vietcong guerrillas attacked. Lacking weapons, the settlers fought back with Boy Scout staves and knives. It seems almost incredible, but when the Vietcong struck, the weapon-poor villagers promptly counterattacked. They had to close with the enemy quickly to make their knives and staves effective. The Binh Hung villagers lost a few men, but they captured several American-made M-1 rifles and a Browning automatic rifle from the guerrillas.

From that time on, the attacks were incessant. Father Hoa knew that knives and staves supplemented by a few rifles and a BAR were no match for guerrilla firepower. He appealed to President Ngo Dinh Diem and got funds—\$12 per month per man—and a scattering of weapons for a 300-man self-defense force. The weapons, some of them predating World War I and as varied as the armies of the world, were left over from stockpiles taken from the Binh Xuyen, a private army of racketeers and adventurers which the government disarmed in 1955. Father Hoa would have liked American weapons, but U.S. military aid cannot be given legally to such an irregular force.

Father Hoa searched throughout free Vietnam for experienced guerrilla fighters. He promised them a life of hardship with frequent combat, little pay and probable death. Gradually he recruited 300. Officers and men received the same pay. When I visited Binh Hung, the force had grown to 340 "regulars" and 80 recruits in training. Father Hoa pays the extra 40 "regulars" out of his own pocket. The 80 recruits get nothing, only food from the village.

Friends of Father Hoa told me he is deeply in debt for the pay and supplies he gives the self-defense corps.

Although they get virtually nothing in return for defending Binh Hung, the corpsmen are tough and canny fighters. And they make the most of their limited weapons. The heaviest of these are 2 mortars, a 60-millimeter and an 81-millimeter, which have been calibrated to zero-in all the approaches an attacker can use against the village.

Last Christmas Eve the Binh Hung villagers received intelligence reports predicting a

Vietcong attack that would catch the village by surprise during midnight mass in the town's small church. Quietly the self-defense corps prepared a lure. They set up generators and extra lights to illuminate the church. Meanwhile, scouts moved out along the approaches to watch for the dreaded Vietcong.

While Father Hoa sang the mass in the brightly lighted church, scouts scurried in with reports of the approaching guerrillas. Father Hoa paused to give the firing order. Mortar fire commenced. It was right on target. The Vietcong fled with their wounded. A prisoner later said the guerrillas believed the accuracy of the midnight mortar fire achieved by sorcery.

The villagers rarely wait so patiently to be attacked. Self-defense soldiers move out into the surrounding area to strike the guerrillas when Vietcong troop concentrations are discovered. Patrols push out daily in search of the Communist forces.

While watching one patrol move out from the village into the surrounding mud, I was struck by their strange shuffling gait. Instead of walking they moved forward with a sliding motion, as if they were ice-skating. A villager explained. The men were literally feeling with their toes for a simple but effective weapon—the common nail—planted in the mud by the Vietcong. Most of the self-defense corps casualties are foot wounds caused by these barbed, 6-inch iron nails, clustered in flat boards and buried, point up, beneath the surface of the mud. They are a modern version of the sharpened bamboo stakes used for centuries in Asia to trap unwary enemy soldiers. Thousands of these nail boards are planted as crude "mine fields" around Vietcong positions. When attacked, the guerrillas try to direct their fire in such a way as to force their attackers into the nail fields. A favorite guerrilla trick is to make footprints in molds of mud, dry them and plant them in the nail fields to make attackers think they have found a safe pathway.

Lucky members of the self-defense corps have rubber-soled sneakers which they equip with inner soles of thin iron sheeting to guard against nail wounds. But with constant wear in the sometimes waist-deep mud, the canvas and rubber shoes last only about a month. Most of the troops go barefoot.

Not long ago the self-defense corps of Binh Hung village attacked a Vietcong village in the mangrove forest 4 miles to the south. There they captured kegs containing some 30,000 nails. Now they have their own "nail fields" around Binh Hung. Some of the nail boards are boobytrapped. The villagers leave a corner of the board sticking up, as if it were buried too hastily. When a thoughtless guerrilla picks it up, he pulls the pin of an attached hand grenade.

The nails played a part in another Christmas Eve battle. Binh Hung soldiers had gone out to intercept 100 Vietcong guerrillas reported to be in a nearby village. As they approached the enemy group, eight of the Binh Hung men stepped on nails. Out of action, they passed all weapons except knives to their comrades, then lay down in the swamp to wait until the fighting ended. The battle surged back and forth across the area. Finally some Vietcong guerrillas came across the eight men lying in the swamp. Since the eight were dressed in black like local peasants, the guerrillas mistook them for some of their own wounded and approached closely. The eight jumped the mistaken Vietcong and killed them all, capturing their weapons.

As they recounted this story to me later, the Binh Hung men showed pride. "In a war," one of them said, "you don't get many stories like this."

Both sides use an odd assortment of weapons in this smoldering guerrilla war. The most prized gun on either side is the Amer-

ican BAR, and the next best is the U.S. M-1 rifle. The guerrillas apparently get theirs by ambushing regular South Vietnam Army troops equipped under the U.S. military-aid program. The irregular defense forces, such as that at Binh Hung village, get their American weapons by ambushing the Vietcong guerrillas. In addition, both sides have old French Lebel rifles, homemade rifles and pistols, hand-forged long knives and crude grenades.

Jungle arsenals turn out some of these homemade weapons for the Vietcong. They are tiny gun shops, usually only a hut equipped with anvil and forge, run by a blacksmith and two helpers who produce about five weapons a day. Cast-iron mines are made in earth molds, then fitted with homemade detonators. Some of the weapons are ingenious. I saw one landmine made of three mortar shells. A .50-caliber rifle was made of a bamboo tube which had been salt-hardened. In one rifle the firing pin was activated by rubber bands, like the zip gun of a young gangster. The barrel of one normally useless flare pistol had been stuffed with iron filings, then rebored to fire a .38-caliber bullet. The long knives used on both sides are two-handed machetes, like Japanese samurai swords fashioned out of old automobile or truck springs. They are kept razor sharp. Vietcong guerrillas, armed with these vicious knives, usually carry two hand grenades as well. In an attack they throw the grenades, then close in quickly with the knives for hand-to-hand combat. The guerrillas also make dummy weapons, such as imitation U.S. carbines, with which to frighten villagers or give an illusion of greater strength in combat.

In battle the Vietcong have the traditional aggressor's advantage. They know the terrain of the Camau Peninsula intimately and cleverly use it for their favorite tactic, the ambush. Father Hoa told me that when ambushed his soldiers have been taught never to take defensive positions. By doing so they would only be playing the enemy's game. The Vietcong choose their ambush ground so carefully that any retreat or defensive stance inevitably puts you in a poor position. An immediate counterattack on the ambushers is the smartest tactic. Father Hoa says he got the idea from Japanese operations against Chinese guerrillas in Canton in 1943. The Japanese sent cavalry along with their infantry units. When the infantry was ambushed, the cavalry immediately attacked.

A favorite ambush technique of the Communists is to permit a Binh Hung patrol to go through their territory and then, when the patrol turns back relaxed and confident, jump them. The self-defense soldiers were fresh from one such ambush on January 3. They drew a map to diagram it for me.

A company of Binh Hung men had fanned out along both sides of the river to escort a boat taking Father Hoa to the village of Camau so that he could catch a bus for Saigon. After dropping Father Hoa, the homeward-bound boat sailed straight into an ambush. Guerrillas, concealed in mud and swampland on either side of the river north of Binh Hung, opened fire with three machineguns. Everyone aboard was killed. But the Communists had failed to notice the nearby escort company of self-defense troops. As soon as the machinegun firing began, the Binh Hung men attacked the ambushers. The surprised enemy fled, leaving behind 60 dead, including an officer who wore a U.S. steel helmet and carried an American carbine and a Red flag. The Binh Hung force lost 17 killed and 7 wounded.

To keep track of the elusive guerrillas in the dense mangrove forests, the Binh Hung villagers have set up a small but first-rate intelligence system. Four self-defense corps agents have managed to slip into the forest and feed back a steady stream of fairly ac-

curate information on locations of Communist movements. One agent even managed a complete tour of the Vietcong area and can pinpoint locations of Vietcong bases and armories. Daily intelligence reports are passed along by the Binh Hung villagers to the Vietnamese Government's Fifth Military Region in Cantho. All such communications are transmitted in Morse code over crude, homemade radio sets. The villagers think voice radio sets are foolish in guerrilla warfare. One of them demonstrated for my benefit by imitating a soldier shouting, "allo, allo" into a microphone, then getting shot by the Vietcong because his voice gave away his position.

The radio reports sometimes help regular Vietnamese military forces to coordinate attacks against the guerrillas. Not long ago when a Vietcong base was spotted, the Vietnamese Air Force was called in to coordinate an air-ground attack with the Binh Hung village defense force. Lacking ground-to-air radios, the villagers fired a signal flare to tell the air force planes when they were ready to launch the attack. As the planes swooped in to bomb and strafe the guerrilla base, the Binh Hung ground soldiers struck hard and successfully. This was the raid in which they captured the hoard of 30,000 nails. The coordinated attack made them feel like part of a big team. It was a tremendous morale booster.

Not all of the Binh Hung defense force's intelligence comes from planted agents in the forest. Like big-game hunters, they sometimes stake out bait as a lure to the Vietcong guerrillas, who must rely on what they capture and on occasional visits by Communist smugglers for their supplies. Penicillin, aureomycin and kerosene are in constant demand among guerrilla units. Knowing this, the Binh Hung self-defense corps recently "staked out" a supply of aureomycin with a friendly storekeeper in a nearby village. Vietcong troops, posing as innocent peasants, came out of the forests to buy it. When they returned to their secret bases, Binh Hung men trailed them.

Although it seems incongruous for a village of 1,200 people to have its own army, Binh Hung is in the process of stretching the incongruity still further by creating its own navy and marine corps. The villagers worried for some months over the unguarded coast of the Gulf of Siam nearby. With typical resourcefulness Father Hoa got the financial backing of patriotic merchants in Cholon and acquired two 55-ton fishing trawlers. Former Chinese marines and sailors who are now Vietnamese citizens have been recruited to serve without pay on the two boats, which will be armed for coastal patrol. When the boats are not patrolling, they will fish commercially. The volunteer sailors and marines will get their pay by sharing in the profits from the fish they catch.

The extraordinary spirit which shapes such ventures is reflected in the morale of the Binh Hung self-defense troops. It is extremely high. And although one thinks of remote villagers in a primitive land as dwelling behind a natural curtain of ignorance, the self-defense troopers are remarkably well informed. They like to see USIA films, although when I visited them they were disappointed because the village movie projector was broken. A steady flow of information comes to them from daily Voice of America broadcasts and from the Free Pacific Press, which beams Vietnamese-language broadcasts and publishes newspapers and magazines in English, Chinese and Vietnamese from Cholon. The troops spend 2 hours every day discussing the meaning of the news. Afterward there is a lively discussion of a single political subject.

Two months before my visit the troops started talking about "What Freedom Means to Me." They were still going strong on the subject when I left. The light in their eyes

when they talked about freedom showed that it was not mere oratory. Freedom is precious to them, a personal thing. This apparently is what gives them confidence that they will defeat the Vietcong guerrillas, and a greater confidence that free men everywhere will win out against communism. Repeatedly they asked me for assurance that the United States would stand firm in its policy in Asia, and particularly in Laos.

In an attempt to combat this spirit, the Vietcong aim a steady drumfire of Communist propaganda at Binh Hung village. Barges carrying portable loudspeakers are floated close to the village to broadcast that communism is the "wave of the future" and that the "corrupt" government of Ngo Dinh Diem will soon be overthrown. A few months ago the Binh Hung villagers captured one of these floating propaganda barges. Much to the consternation of the Vietcong, they reindoctrinated the captive propagandist, put him back on his barge and now have him broadcasting anti-Communist messages to the Vietcong guerrillas.

The villagers have turned another Communist propaganda trick back upon the guerrillas with the same forcefulness. One of the Vietcong's favorite calling cards is a propaganda poster affixed to a stick and propped up in the mudflat near the village. To underscore their message, the guerrillas frequently boobytrap these propaganda posters by planting explosives in the mud beneath the stick. The Binh Hung people clear out the propaganda posters occasionally, but never do the dangerous job themselves.

Instead, they march the 60 Communist guerrillas they have captured out of the central stockade in which they are imprisoned. After a lecture on the evil minds of the Vietcong leaders, the prisoners are warned about the particularly vicious habit of boobytrapping propaganda posters. Then they are sent out to the mudflats to clear away the possibly lethal posters. The lesson is sometimes cruel, but it has a noticeable effect on the political outlook of some of the prisoners.

The maximum-security compound where the male prisoners are kept—two women prisoners are held separately—is surrounded by part of the self-defense corps' bivouac. This provides the Binh Hung soldiers with another occasion for getting political lessons across to their captives. Each day when the soldiers have their daily news discussions they speak in loud voices so the prisoners can hear, too. The soldiers grin and say this "brainwashing" is good for their captives.

When I was preparing to leave Binh Hung, these same grinning soldiers clustered around the village helicopter landing pad to say goodbye. They predicted that with the dry season starting, the Vietcong guerrillas would be able to move about more freely. "It will really be war now," one of them said. Another hoped the Vietcong would need help and would send for Chinese Communist cadres to bolster the guerrilla forces. "It would be good to get them in our sights," he said. We shook hands in parting. "Next year," said one of the smiling troopers, "you will see somebody else here. Two hundred of us will be dead then."

They drew up in a smart military formation as the helicopter's blades started rotating. Then they saluted. It was the three-fingered Boy Scout salute again.

[From Reader's Digest, July 1963]
THE FIGHTING PRIEST OF SOUTH VIETNAM
(By Dickey Chapelle)

(Reporter-photographer Dickey Chapelle has been covering the world's hottest trouble spots since World War II. In 1962 she received the Overseas Press Club's George Polk Memorial Award, "for her coverage of the fighting in Vietnam, during which she

1964

made several parachute jumps into enemy territory.")

It was from a handful of American professional fighting men that I first heard the priest's name. On that night in 1961, a dying campfire deep in a South Vietnam jungle flickered on their sunburned faces as they discussed a subject that interested all of them: toughness. Who was the toughest man they had ever known? Names were suggested and discussed. Finally, a veteran paratrooper said, "Nobody is tougher than Father Hoa."

They all nodded. I was puzzled. A man of the cloth, spoken of in this way? Later, when I came to know this soldier-priest of South Vietnam, I could only agree.

My first glimpse of Father Augustin Nguyen Iac-Hoa was from a Vietnamese air-force helicopter. We were on our way to the village of Binh Hung, at the southernmost tip of South Vietnam, and we had been lost in monsoon clouds for an hour. The ricefields below offered a landing, but this area, we knew, was a stronghold of Vietcong (Communist) terrorists. At last a shred of mist slipped away, and there in the distance was a wall-enclosed village. On the brown-earth patch beside it we saw a tall figure energetically waving a white wind sock. Behind him green-clad soldiers stood motionless in straight ranks.

As soon as we touched down, the tall man ran toward us. This was Father Hoa. He was almost 6 feet tall, and his shoulders reached two eye-jumps across. His wide smooth face with gently slanted gray eyes beamed.

"Where did you think you were going?" he shouted in French to the pilot. As the flier climbed down, the tall priest embraced him and pounded delightedly on his back. Grinning, he wrung the arm of another passenger, to whom he spoke in Vietnamese. Then as I was introduced he tucked both my hands into one of his and boomed in English, "Welcome, my daughter. It is good that you come to see our army."

At twilight the helicopter took off for Saigon, some 530 miles north. But I did not go with it. Father Hoa had given me permission to stay for a time. In the next 5 weeks I got to know Binh Hung and its people, the vigilante army, the enemy, and Father Hoa, the soldier-priest.

Father Hoa—the name is pronounced Wah and means "to make happy"—was born in China, the eldest son of a Cantonese fisherman. Handling little boats in the turbulent East China Sea was the first skill he acquired. But he also earned the rare chance to finish the provincial high school, and decided to become a Catholic priest.

In the fall of 1937, when he was 29, he was given a parish in the district ruled by Wong Lo Dai, most infamous river pirate in south China. No priest lasted long there. Father Hoa's first act was to present himself boldly at Wong's stronghold and offer to teach his five sons. The pirate's reply was to order his henchmen to guarantee the priest's safety. In time he extended protection to three new village schools founded and run by Father Hoa.

Like many other Chinese clergymen who had to move unarmed through countryside alive with cutthroats, Father Hoa had learned certain jujitsu tricks of self-defense. He taught these to the sons of the bandit chief to gain their confidence, and went on to teach them other things—while gaining from them some knowledge of weapons and informal military tactics.

In 1939 China drafted all the eldest sons in the province of Canton to fight Japan. Since the Chinese Army had no chaplain system, priests went into uniform as combat soldiers, Father Hoa among them. It was 10 years before he took off his uniform—then it bore the lotus-blossom insignia of a colonel. He put on his cassock again, but

he wasn't given much time to preach in peace.

In 1949 the Red tide overran Canton. Priests were a special target, and the local Communist commander sent an ultimatum to Father Hoa: flee or die. From this arose a crisis of character in the priest's life. He tasted cowardice, and fled. Taking the train to Haiphong, nearest city in French Indochina, he presented himself to his ecclesiastical superior.

"What are you doing here?" the bishop asked. "Why are you not among your people?"

"I would hardly be useful to my people dead," the priest said.

"Nor are you useful to them here," came the answer. "And they have never needed you more than in this hour. Your place is with them."

Shame scalded Father Hoa. He could not raise his eyes, until he felt the bishop's hand on his shoulder. "My son, never fear death. Since man has lived, who has not died?"

It was a different Father Hoa who returned to his parish—a man ready to die. But the Communist commander did not kill him; he arrested and confined him. From that year's imprisonment was born the man who today captures the imagination of all who know him.

In prison Father Hoa developed a plan for his people. Then he escaped, making his way in a small fishing craft to Indochina. There he set to work on his plan. To assure that he remained among his parishioners as the bishop had ordered, he would help them escape out of Red China to him. By 1951 more than 200 families from his old parish had been ferried in junks across the China Sea to non-Communist soil.

But now, as the cloud of war against France shadowed this new land, Father Hoa led his parishioners down the length of the Indochinese peninsula—the distance from New York to Miami—into Cambodia, where he found work for them tapping rubber trees. Still, peace eluded them. After Dien Bien Phu fell, Communists began to infiltrate Cambodia. When the local government recognized Red China, in late 1956, the legal position of these escapees grew precarious.

Searching desperately for a place to settle his people, Father Hoa appealed to Saigon, where the fledgling anti-Red government of South Vietnam was in the throes of a nationwide land reform. President Ngo Dinh Diem asked the priest if his people would clear and work unused land in a remote area. And so, on March 17, 1959, the wanderers reached the site of Binh Hung.

The land lay under a foot of water, and hordes of mosquitoes swarmed over its fetid surface. The next morning Father Hoa sent the young men to the village of Tan Hung Tay, 6 miles distant, to find out how habitations could be built in this trackless swamp. Just after sundown the young men returned with this message: To raise a plot above water level, a block of the clay beneath the water must be cut out, lifted up and set in place where the worker had stood to dig. Then a second block is cut and piled on the first, and so on.

It was backbreaking labor; but in a dozen weeks, with each man, woman, and child working in water almost every hour of daylight, Binh Hung village was raised from the mud. Two hundred houses of bamboo and jungle reed stood in four parallel rows; a canal spanned by a wooden bridge served as the central thoroughfare. One festive twilight a great gold banner, the flag of South Vietnam, was unfurled from the bridge to signalize the end of the trek. After 8 years of statelessness, these peasants again had a place of their own, beyond the reach of the organized Chinese communism they had fled.

The proud people of Binh Hung planned to seal their new allegiance by voting for the

anti-Communist government. Balloting in the national election was to be held the next day in Tan Hung Tay. Vietcong agents warned them not to make the journey, but they could not believe that these local Reds were as evil as those in Canton—and in any case wasn't it the duty of free people to vote?

In the morning every adult of Binh Hung set out for the polls with Father Hoa at their head. The older children were left to look after the younger ones. A few hours later, as the villagers gathered at Tan Hung Tay, a man came running, shouting, "The Communists have murdered a child in Binh Hung."

Father Hoa's people started in a rush for home, but the priest's voice thundered: "Stop. Whatever has happened has happened. The Communists have done their evil. Now let us not do their bidding. Each of you will return only after you have cast your vote." As a woman sobbed, he added, "It is the fear of death in our hearts that gives the enemy his strength. Never fear death. Since man has lived, who has not died?"

His people voted, then made their way back to their village. The body of Ah Pong, an 11-year-old boy, hung from a bamboo cross in front of his home. A placard on it read: "This can happen to all your children." It was in this way that Father Hoa's people learned that their new land, too, was infested with Red terrorists.

The men of Binh Hung set up their first defenses, with logs for obstacles and fishing knives for weapons. The Vietnamese county chief, Capt. Nguyen Khue, "lent" them six old French rifles; later he agreed to serve as tactical commander. President Diem acknowledged the little vigilante army and gave it a name: the Army of the Sea Swallow, after a black heron of the delta. The force was supplied with old rifles, confiscated from disbanded pirate gangs.

Outwardly, the Sea Swallows are no different from hundreds of other vigilante forces fighting the Vietcong. But there is something in the spirit of this little band which has made it a legend in embattled South Vietnam. The thing that sets the Sea Swallows apart is that they are fully on the offensive. They are through with running, and their new spirit and new tactics are giving them the taste of victory. Father Hoa has taught them that no one can hope to win by standing still. He drills into them the necessity for foraging out, always out, night and day in any weather, waylaying and counterambushing Red raiders in field and jungle. By the time I arrived in Binh Hung, every man in the village had become a full-time aggressive fighting man.

The original few hundred Chinese-born Sea Swallows are constantly being augmented by Vietnamese from all over the country—mountaineers from the central highlands, rice farmers from other delta provinces, escapees from Red-ruled North Vietnam. One day I heard Father Hoa address 74 newly enlisted fighters. "You have joined us, my sons, and you will not live 3 years. But your death will be a hallowed thing, unlike the death of cowards, for it will be for the freedom of all peoples. And before it comes, you will have the chance to kill many of the enemy."

Next morning, Sea Swallows who had just finished their 8-week training were ordered out on their first operation. I went with them. Eventually, I accompanied nine Sea Swallow operations. One moonlit night I was with a unit which surprised a Vietcong raiding party. The Communists fled in a hail of bullets, carrying four dead. Another night it was an around-the-clock ambush to cut off Vietcong "tax collectors" coming to loot a coastal hamlet. Often there were casualties, but always there were more enemy dead, wounded or taken prisoner than we

lost. And always the safe area around the village was a little bigger than before.

This is what Father Hoa and his Sea Swallows are doing. They have tasted slavery and found it bitter. Now they are enlarging the area of freedom in the world. Who can serve a greater cause?

ACTIVITY IN THIS COUNTRY BY CLERGYMEN FROM IRON CUR- TAIN COUNTRIES

Mr. DODD. Mr. President, as my colleagues will recall, I took the floor in July 1963 to announce that I had asked the Senate Subcommittee on Internal Security to look into the increasing rash of activity in this country by clergymen from the Iron Curtain countries. Among other things, I said that there was reason for concern over the obvious efforts that were being made by the Orthodox Church authorities in the Soviet Union, Rumania, Bulgaria, Albania, and Yugoslavia, to enhance the degree of hierarchical control that they exercise at present over the corresponding national communities of the Orthodox faith in this country.

The preliminary staff investigation has already uncovered evidence which I consider to be most significant, and it is my earnest expectation and my earnest hope that the subcommittee would shortly be able to embark on hearings so that this evidence may be made public.

In the case of the Serbian Orthodox Church, a split has developed between those who favor accepting the hierarchical jurisdiction of the Belgrade Synod and those who believe that the Serbian Orthodox Church communities in the free world should not be under the hierarchical control of the Belgrade Synod. Certain of those who favor retaining relations with the Belgrade Synod have issued statements to the effect that I have been unfair to them or that I have prejudged them. I felt that some of the statements that have been circulated so seriously misrepresent by own position and are so far from the facts that an answer was warranted.

Mr. President, I ask unanimous consent to have printed in the Record at the conclusion of my remarks, the text of a reply I have recently written to Mr. Robert Stone of Pittsburgh, and the text of the long letter which Mr. Stone had circulated in many thousands of copies around the country, which I felt seriously misrepresented my position on a number of points.

There being no objection, the letters were ordered to be printed in the Record, as follows:

MARCH 24, 1964.

MR. ROBERT R. STONE,
509 Plaza Building,
Pittsburgh, Pa.

DEAR MR. STONE: I wish to acknowledge receipt of your letter of January 28, to which you attached a memorandum dated January 24, commenting on my remarks re the situation in the Serbian Orthodox Church. I understand that this memorandum had been reproduced and circulated throughout the country before it reached my office. The pressure of Senate activities has prevented me from replying before this, but there are several statements contained in your com-

munication which I feel should not be permitted to stand unchallenged.

A large part of your memorandum is concerned with the legal and constitutional intricacies of the conflict between the two Serbian Orthodox groups in this country. Another portion of your memorandum is devoted to attacks on certain personalities belonging to the side which you oppose. With these matters, I do not intend to concern myself for I believe that they are not the concern of the Senate subcommittee.

The purpose of this letter is limited to setting the record straight on my conversation with the three bishops and with you.

(1) To avoid the possibility of any misunderstanding, I had prepared a written reply to the communication I had received from the three bishops. This reply I gave to them in your presence. In doing so, I made it emphatically clear that this was the only statement I was authorizing for publication. You may correct me on this point if my information is inaccurate but I have been informed from a number of sources that, to this day, those associated with you have nowhere reprinted the entire text of my reply to the three bishops, but have confined themselves to quoting a few passages that they considered favorable to their own point of view.

(2) Your letter again repeats the assertion that our investigation appears to be directed in the first instance against the Serbian Orthodox Church. Not only is this statement false, but it flies in the face of my written reply to the three bishops and of my oral reaffirmation in the course of our conference, that our investigation would not be limited to the Serbian Orthodox Church, but will delve deeply into the entire question of church and state in the Communist countries and into the accumulating evidence, that the Communists have been seeking to use the ties that exist between religious denominations in their own countries and the corresponding religious denominations in the United States as an instrument for influencing American public opinion or, more crudely, as an instrument of propaganda.

Let me quote what I said in reply to the three bishops:

"The contemplated investigation will not be confined to the Serbian Orthodox community. There is a larger problem here that involves the entire relationship between church and state in the Soviet Union and in the Communist bloc countries. Preliminary documentation and evidence strongly suggests that these churches function to a very large degree under the control of their Communist governments; and it establishes beyond any doubt that many ranking clergymen of these countries have taken political positions on Cuba, on the peace movement, etc. that can only be construed as supporting Moscow. One of the matters that we shall endeavor to assess is how pervasive this control is. We are also interested in determining the significance for America, from a security standpoint, when religious authorities who themselves must function under the control of partial control of Communist governments, in turn exercise direct hierarchical control over church communities in this country."

I know that all religions are persecuted in Communist countries, including the Orthodox religion. I know that within each religion there are martyrs and collaborators, and a much larger body of religious faithful who have been obliged to make compromise that are distasteful to them in a desperate effort to keep their religion alive.

I do not presume to judge those who have felt obliged to make such compromises. But I question whether the best interests of the United States are served when clerical authorities who must somehow accommodate themselves to the Communist state as a condition of survival, tour the United States,

systematically visiting all the parishes of their respective national religious communities.

I question whether the best interests of the United States are served when a Czechoslovak cleric informs an ecumenical conference in the United States that "The essence of communism is to build up the classless society to where people are all equal. The Christian should agree with this. Thus we Christians greatly support communism."

I also have serious doubts whether hierarchical control of American church communities exercised from any Communist country does not contain an element of risk—and I say this without in any way, reflecting on the patriotism of the many Americans of the orthodox faith who still accept the hierarchical jurisdiction of their traditional patriarchates in Moscow or Bucharest or Sofia or Tirana or Belgrade.

Not only will the Serbian Orthodox Church not be the sole object of our investigation, but, because of the status of our preliminary research, the chances are at this juncture that the first investigation will relate to the churches of another Communist-controlled nation.

(3) Your letter states: "All three bishops without reservation were prepared at that moment to be questioned by Senator Dodd or his staff. This was not done." The clear implication of this statement is that I refused to give the bishops a hearing.

The fact is, on the contrary, that I assured the bishops in my letter to them that they "will be given every opportunity to present their point of view to the Senate Subcommittee on Internal Security." The fact is, further, that I assured them that Mr. David Martin, investigations analyst for the Senate Subcommittee on Internal Security would, in the early future, meet them in Chicago or elsewhere, to receive preliminary depositions from them and such documents as they might wish to submit for the consideration of the Senate Subcommittee on Internal Security.

Mr. Martin has thus far been unable to make the trip because of other duties but it is my expectation that he will be able to visit Chicago and the West Coast within the coming 2 weeks.

(4) Your letter strongly implies that I have instigated an investigation of the Serbian Orthodox Church because I am a Catholic and prejudged against the orthodox faith. I resent this implication particularly. I believe this groundless insinuation is completely negated by my entire record of public life and by my consistent opposition to all forms of bigotry whether racial, national or religious.

You seek to draw a parallel between the hierarchical jurisdiction exercised by religious authorities in Communist countries over religious communities in the diaspora and the hierarchical control exercised by the Vatican over Catholic cardinals and bishops. I believe that any reasonable person, irrespective of their religious beliefs, should immediately see the difference between these two situations. The hierarchical control exercised by the Greek Patriarch over the Greek Orthodox community in this country, for example, poses absolutely no problem from a security standpoint because Greece is a free country, free of communist control. Conversely, although such a supposition is completely hypothetical, if the Yugoslav Catholic Church were organized in such a manner that it retained hierarchical control over Yugoslav Catholic communities in this country, I would have precisely the same reservations about such a setup as I have expressed in the case of the various orthodox church communities.

(5) Your letter ostensibly quoting Senator HUGH SCOTT's office states that "the Subcommittee on Internal Security has never